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and
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and
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LLP

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2-22-99
#10

December 14, 1998

Examiner Mickey Yu
U.S. Department of Commerce
Patent and Trademark Office
Washington, D.C. 20231

Transmission Via Facsimile
(703) 308-2708

Re: Continuation FWC Application
(filed February 25, 1997) of
Parent Application Serial No. 08/452,227
filed May 26, 1995
For: JOINT TREATING METHOD
Our File: 16683-1-2

FAA RECEIVED
DEC 14 1998
Group 3700

Dear Examiner Yu:

Per our telephone conversation of earlier today, I attach copies of our status letter and request for filing receipt, which, together with copies of the FWC filing papers, were received by the Patent Office on May 19, 1998 (per the attached return postcard).

Included in the attachments is a copy of our firm's deposit account statement for March 31, 1997 that shows that the extension of time fee of \$410, which was due in the parent case (Serial No. 08/452,227) when the FWC application was filed, was charged to our account. The relevant entry is seven lines from the bottom (Control No. 26002).

Since almost two years have passed since the FWC application was filed and the inventor has yet to hear a first word from the Patent Office, we would appreciate it if you could give this case your personal attention and have the application examined at the earliest possible time. We believe that this case is entitled to expedited handling because the lengthy delay by the Patent Office will in effect shorten the term of the patent.

Thank you for your attention to this matter, and please let me know if there is anything else I can provide you with to help you resolve this problem.

Best regards,


J. Georg Seka

JGS:jw

Attachment

fax cpy w/att. Dr. Gerald Blatt
(562) 490-0434

TO THE U.S. PATENT & TRADEMARK OFFICE

Please stamp the date of receipt of the following document(s)
and return this card to us:

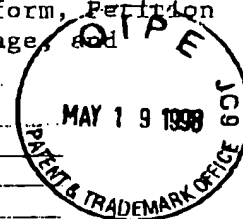
RE: Joint Treating Method

TITLE OF DOCUMENT(S):

Status Letter and Request for Filing Receipt, with
copies of: patent application transmittal form, Petition
to Extend Time, postcard, Deposit Account page, and
Notice of Abandonment

Application No. (parent) 08/452,227File No. 16683-1-2

Date Due _____

Date Mailed May 14, 1998Atty/Secty. JGS/iw

PATENT

Attorney Docket No. 16683-1-2

May 4 1998
Group 3700

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231, on May 14, 1998.

TOWNSEND and TOWNSEND and CREW LLP

By 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re continuation)
FWC application of)
parent application)
Serial No. 08/452,227)
filed May 26, 1995, of)

Examiner: R. Shay

Applicant: GERALD BLATT)

Art Unit 3308

Serial No. (not yet received))

STATUS LETTER AND
REQUEST FOR FILING RECEIPT

Filed: February 25, 1997)

For: JOINT TREATING METHOD)

San Francisco, CA 94111
May 14, 1998

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

On February 25, 1997 applicant filed an FWC application to application Serial No. 08/452,227, filed May 26, 1995, together with a request for an extension of time for "two additional months". Copies of the patent application transmittal form and of the accompanying Petition to Extend Time (authorizing

Serial No. (not yet received)
Page 2

attached copy of page 13 of the Monthly Statement of Deposit Account dated March 31, 1997. The entry has been highlighted and bears Control No. 26002.

Applicant also received a Notice of Abandonment in the above-mentioned parent case dated April 10, 1997 (copy attached).


To date, applicant has neither received a filing receipt, nor the return postcard date-stamped by the Mailroom of the Patent Office. However, the FWC application has been received by the Patent Office because, as evidenced above, the "two additional months" extension of time fee was charged.

In view thereof, applicant requests advice as to the status of this application, when a first Office Action may be expected, and that he be provided with an official filing receipt showing filing of the FWC application on February 25, 1997.

If the Examiner feels for any reason that a personal communication would expedite the prosecution of this application, the Examiner is invited to contact the undersigned at the telephone number below.

Respectfully submitted,

By


J. George Saka
Reg. No. 24,491

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300

FWC

EM197107124US

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94105

Atty. Docket No. 16683-1-2"Express Mail" Label No. EM197107124USDate of Deposit February 25, 1997

(415) 576-0200

Box FWC
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D. C. 20231

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

Sir: This is a request under 37 CFR 1.62 for filing a FWC

☒ Continuation☐ Division☐ Continuation-in-Partof application No. 08/452,227, filed May 26, 1995,of GERALD BLATTfor JOINT TREATING METHODBy James F. HannApplicant understand that this FWC application automatically ABANDONS the parent application.

- ☐ The amendments to and declaration for this CIP application are enclosed.
☐ A verified statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 & 1.28
☐ is enclosed, or ☐ was filed in the above-identified parent application.
☐ Please record the enclosed assignment to _____
☒ Please amend the specification by inserting before the first line the sentence:
 --This is a ☒ Continuation ☐ Division of application
 No. 08/452,227 filed May 26, 1995, now abandoned --
☒ A petition to extend time to respond in the above-identified prior application complying with the OG Notice of June 14, 1984 is enclosed.
☒ Please enter the amendment under §1.116 dated December 11, 1996 and unentered in the prior application.
☐ Please enter the enclosed preliminary amendment.
☐ Please cancel claim(s) _____

Applicant requests deferral of the filing fee until submission of the Missing Parts of Application.

Do not charge the filing fee at this time.

TOWNSEND and TOWNSEND and CREW LLP

James F. Hann

Reg. No.: 29,719

Attorneys for Applicant

Express Mail Label No. EM197107124US

Date of Deposit: February 25, 1997

I hereby certify that this correspondence is being deposited
with the United States Postal Service "Express Mail Post
Office to Addressee" service under 37 CFR §1.10 addressed to:
Assistant Commissioner for Patents,
Washington, D.C. 20231,
on February 25, 1997

PATENT

Attorney Docket No. 016683-000100

By



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GERALD BLATT

Application No.: 08/452,227

Filed: May 26, 1996

For: JOINT TREATING METHOD

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Examiner: R. SHAY

Art Unit: 3308

PETITION TO EXTEND TIME UNDER

37 CFR §1.136(a)

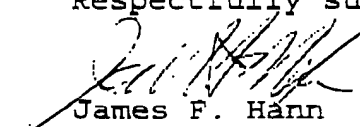
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant petitions the Assistant Commissioner of
Patents to extend the time for response to the Office Action,
dated August 26, 1996 for two additional months, from December
26, 1996 to February 26, 1997. Applicant previously paid for a
one month extension of time on December 11, 1996. An
appropriate response to the Office Action in the form of a File
Wrapper Continuation is enclosed herewith.

Please charge \$410.00, pursuant to 37 CFR §1.17, to the
Deposit Account No. 20-1430. Please charge any additional fees
or credit overpayment to the above Deposit Account. This
Petition is submitted in triplicate.

Respectfully submitted,


James F. Hann

Reg. No. 29,719

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 326-2400 Fax (415) 326-2422
JFH:SSC:dh

TO THE U.S. PATENT OFFICE:
Please stamp the date of receipt of the
following document, and return this card
to us.

Title of Document: File Wrapper

Continuation, Petition to Extend

Time for parent case (08/452,227)

Due Date: February 26, 1997

Date Mailed:

File No.: 16683-000100

Attorney: JFH:SSC

Express Mail No.: EM 197107124US

11/19/98 11:30 AM



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your Deposit Account, detach and return top portion with your check. Make check payable to Commissioner of Patents & Trademarks.

Account No.	20-1430
Date	03-31-97
Page	13

TOWNSEND & TOWNSEND AND CREW FINA
LLP
TWO EMBARCADERO CENTER FLOOR
8TH FLOOR
SAN FRANCISCO, CA. 94111-3834

PLEASE SEND REMITTANCES TO:
Patent and Trademark Office
P.O. Box 70541
Chicago, Ill. 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES	CREDITS	BALANCE
MO.	DAY	YR.							
3	14	97	32031	08799731 212	13011-004900	581	4000 ✓		30146265
3	14	97	21007	08798000 212	14538A002010	201	38500 ✓		30107765
3	14	97	61015	75248290 2450 224	82228	361	24500 ✓		30083265
3	14	97	61016	75248291 2450 224	82229	361	24500 ✓		30058765
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3	14	97	18001	90004425 2450 224	12046A-119	147		169000 ✓	30124765
3	14	97	33060	08747920		101	77000 ✓		30047765
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3	14	97	32076	08791131 213	AM1879/TI580	101	92400 ✓		29905765
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3	14	97	30155	08724497		581	4000 ✓		29163765

AN AMOUNT SUFFICIENT TO COVER
ALL SERVICES REQUESTED MUST
ALWAYS BE ON DEPOSIT.

OPENING BALANCE

TOTAL CHARGES TOTAL CREDITS CLOSING BALANCE

16683-000100 HS

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& CREW

97 APR 15 AM 10:27

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JFH

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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JAMES F HANN
TOWNSEND & TOWNSEND KHOURIE & CREW
STUART STREET TOWER
ONE MARKET PLACE 20TH FLOOR
SAN FRANCISCO CA 94109

EXAMINER

ART UNIT	PAPER NUMBER
----------	--------------

DATE MAILED:

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☒ Applicant's failure to timely file a proper response to the Office letter mailed on 3/24/98.
- ☐ A response (with a Certificate of Mailing or Transmission of _____) was received on _____, which is after the expiration of the period for response (including a total extension of time of _____ month(s)) which expired on _____.
- ☒ A proposed response was received on 3/24/98, but it does not constitute a proper response to the final rejection.
- (A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC).
- ☐ No response has been received.
- ☐ Applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.
- ☐ The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____.
- ☐ The submitted issue fee of \$ _____ is insufficient. The issue fee required by 37 CFR 1.18 is \$ _____.
- ☐ The issue fee has not been received.
- ☐ Applicant's failure to timely file new formal drawings as required in the Notice of Allowability.
- ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) were received on _____.
- ☐ The proposed new formal drawings filed _____ are not acceptable.
- ☐ No proposed new formal drawings have been received.
- ☐ The express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on _____.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

[Signature]
James F. Hann
Attorney